



Docket No.: 50432-600

TPW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Minh Van NGO, et al. : Confirmation Number: 3502
Application No.: 10/617,450 : Group Art Unit: L. Tran
Filed: July 11, 2003 : Examiner: L. Tran

For: UNDOPED OXIDE LINER /PBSG FOR IMPROVED DATA RETENTION

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated December 9, 2004, the Examiner imposed a Restriction Requirement pursuant to 35 U.S.C. §121 requiring elect of either:

Group I. Claims 1 through 9 directed to a method; or

Group II. Claims 10 through 14 directed to a device.

In response Applicants elect to prosecute device claims 10 through 14. Favorable consideration of device claims 10 through 14 is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

10/617,450

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


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Date: December 22, 2004

**Please recognize our Customer No. 20277
as our correspondence address.**